IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Bail Appl..No. 1082 of 2007()

CMP.578/2007 of J.M.F.C.-III,NEYYATTINKARA
C.R.NO.3/07 OF THIRUPPURAM EXCISE RANGE

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: PETITIONER/ACCUSED

DEEPU, S/O.CHANDRAN,
EDATHUMOOLA COLONY, ATHIYANNOOR DESOM,
ATHIYANNOOR VILLAGE, NEYYATTINKARA TALUK.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR
SRI.R.V.SREEJITH

RESPONDENTS: COUNTER PETITIONER

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1082 OF 2007 A

Dated this the 23rd day of February, 2007

O R D E R

Petitioner, who is the accused in C.R. No.3/2007 of Thiruppuram Excise Range for an offence punishable under section 8(1) and (2) of the Abkari Act for allegedly having been found in possession of 1.5 litre of illicit arrack on 22.1.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in another crime involving similar abkari offence.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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